

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTHONY JOHNS-GRIGGS,

Plaintiff,

Case No. 19-cv-11162
Hon. Matthew F. Leitman

v.

A123 SYSTEMS, LLC,

Defendant.

/

ORDER GRANTING IN PART AND TAKING UNDER ADVISEMENT IN
PART DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT (ECF No. 16)

In this action, Plaintiff Anthony Johns-Griggs has brought the following claims against Defendant A123 Systems, LLC, where Johns-Griggs used to work:

- Racial discrimination in violation of Michigan's Elliot-Larsen Civil Rights Act (Count I);
- Hostile Work Environment in violation of Michigan's Elliot-Larsen Civil Rights Act (Count II);
- Retaliation in violation of Michigan's Elliot-Larsen Civil Rights Act (Count III);
- Disparate treatment on the basis of race in violation of Title VII of the Civil Rights Act of 1964 (Count IV);
- Hostile Work Environment in violation of Title VII of the Civil Rights Act of 1964 (Count V); and

- Retaliation in violation of Title VII of the Civil Rights Act of 1964 (Count VI).

A123 moved for summary judgment on all of Johns-Griggs' claims on April 29, 2020. (*See* Mot. for Summ. J., ECF No. 16.) Johns-Griggs filed his response to A123's motion on May 26, 2020. (*See* Resp. to Mot. for Summ. J., ECF No. 18.) In that response, Johns-Griggs agreed to waive his hostile work environment claims under Michigan and federal law. (*See id.*, PageID.350.) The Court therefore **GRANTS** A123's motion with respect to Counts II and V of Johns-Griggs First Amended Complaint and **DISMISSES** those claims **WITH PREJUDICE**. Johns-Griggs argued that A123 was not entitled to summary judgment on his other claims.

The Court held a video hearing on A123's motion on September 29, 2020. For the reasons stated on the record, **IT IS HEREBY ORDERED** as follows:

- A123's motion is **GRANTED** with respect to Johns-Griggs' racial discrimination claims (Counts I and IV of the First Amended Complaint). Those claims are **DISMISSED WITH PREJUDICE**; and
- A123's motion is **TAKEN UNDER ADVISEMENT** with respect to Johns-Griggs' retaliation claims (Counts III and VI of the First Amended Complaint).

The Court will now refer this matter for a settlement conference with the assigned Magistrate Judge.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: September 30, 2020

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on September 30, 2020, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(810) 341-9761